

# EXHIBIT D

(Part 2 of 2)

degree from Boston College Law School in 1976. Ms. Kaswan has practiced with Milberg Weiss since 1998 where she has represented plaintiffs in cases involving securities and consumer fraud. Ms. Kaswan served in a leadership role in the *Oxford Health Plan Securities Litigation*, which eventually settled for \$300 million, including \$75 million against Oxford's accountant, KPMG. She is litigating several other financial fraud matters, including a case against a Bermuda-based reinsurance company and KPMG alleging improper accounting for policyholder liabilities and improper amortization of deferred acquisition costs. Immediately before joining Milberg Weiss, Ms. Kaswan served in the Giuliani administration as New York City's chief procurement officer, a deputy commissioner in the Department of Investigations and the Finance Department's chief counsel.

Ms. Kaswan began her career at Peat, Marwick, Mitchell & Co. and later served as a trial attorney with the U.S. Department of Justice, Tax Division. In 1985, she joined the U.S. Attorney's Office for the Southern District of New York, and was promoted to Chief of Commercial Litigation and then Deputy Chief of the Civil Division. While employed by the government, Ms. Kaswan litigated several high-profile cases to judgment, including the landmark case of *United States v. Gleneagles Investment Co.*, where following a multi-stage, thirteen-month trial, the fraudulent conveyance laws were first applied to set aside a leveraged buy-out. She also represented the Federal Reserve for its enforcement actions against the rogue bank, BCCI, leading to the global RICO plea agreement and forfeiture of BCCI's \$550 million of United States assets; the IRS for its \$5 billion claim against Drexel, the Defense Department and MARAD for qui tam and other false claims actions against Goodyear Aerospace, Loral and General Dynamics and the FDA to enjoin the manufacture of adulterated generic drugs. *See, e.g., United States v. Gleneagles Investment Co.*, 565 F. Supp. 556 ("Gleneagles I"), 571 F. Supp. 935 ("Gleneagles II"), 584 F. Supp. 671 ("Gleneagles III") (M.D. Pa. 1981), *aff'd in part and rev'd in part sub. nom., United States v. Tabor Court Realty Corp.*, 803 F.2d 1288 (3d Cir. 1986); *In re Smouha ("BCCI")*, 136 B.R. 921 (S.D.N.Y. 1992); *United States v. Davis*, 803 F.Supp. 830 (S.D.N.Y. 1992), *aff'd in part and rev'd in part sub. nom., United States v. General Dynamics Corp.*, 19 F.3d 770 (2d Cir. 1994); *United States v. Barr Laboratories, Inc.*, 812 F.Supp. 458 (D.N.J. 1993).

Ms. Kaswan has received several awards from the Justice Department and the agencies she represented, including the Justice Department's John Marshall award, Special Commendation from the Attorney General, a Superior Performance award from the Executive Office

of U.S. Attorneys, Tax Division Outstanding Achievement awards, and awards from the FDA Commissioner and U.S. Customs Service. She has testified before the New York legislature as a government expert on money-laundering and lectured in Justice Department training programs on evidence and other subjects.

Ms. Kaswan is admitted to practice in the courts of the States of New York and Massachusetts, as well as the United States District Courts for the Southern District of New York and the United States Court of Appeals for the Second Circuit.

**BENJAMIN Y. KAUFMAN** earned his B.A. degree from Yeshiva University in 1985 and his J.D. degree from Benjamin N. Cardozo School of Law, Yeshiva University in 1988, where he was a Belkin Fellow, Belkin Scholar, and a member of the *Cardozo Arts and Entertainment Law Journal*. Mr. Kaufman also received a M.B.A. degree in finance from the Stern School of Business of New York University in 1999. Prior to joining Milberg Weiss in August of 1998, Mr. Kaufman was a court attorney for the New York State Supreme Court, New York County (1988-1990) and principal law clerk to Justice Herman Cahn of the Commercial Division of the New York State Supreme Court, New York County (1990-1998).

Mr. Kaufman focuses on class action litigating on behalf of defrauded investors and consumers as well as complex commercial litigation. Mr. Kaufman is a member of the bars of New York, New Jersey, the United States District Courts for the Districts of New York and New Jersey and the United States Court of Appeals for the Fourth Circuit.

**CLIFFORD S. GOODSTEIN** earned his A.B. degree from Harvard University in 1988 and his J.D. degree from New York University School of Law in 1993. After graduation, he served as a law clerk to the Honorable Alex T. Howard, Jr., Chief Judge of the United States District Court for the Southern District of Alabama, and then as an associate at Reboul, MacMurray, Hewitt, Maynard & Kristol and Baker & Botts prior to joining Milberg Weiss in January of 1998.

Mr. Goodstein works on a variety of actions on behalf of classes as well as individuals in consumer fraud, securities, antitrust, health care, and other areas. Mr. Goodstein is a member of the bars of New York and New Jersey.

**SETH D. RIGRODSKY** received his B.A. degree *magna cum laude*, with honors in history, from Brandeis University in 1985. In 1990, he received his J.D. degree, *magna cum laude*, from Georgetown University Law Center, where he was awarded Order of

the Coif and served as a senior articles editor for the *Georgetown University Law Journal*. After graduation from law school, Mr. Rigrodsky was a law clerk to the Honorable Andrew G.T. Moore, II, of the Delaware Supreme Court.

Following his clerkship, Mr. Rigrodsky was associated with the law firms Wachtell, Lipton, Rosen & Katz in New York City, and Morris, Nichols, Arsht & Tunnell in Wilmington, Delaware, where he concentrated his practice on corporate and complex business litigation. In 1994, Mr. Rigrodsky joined Morris and Morris in Wilmington, Delaware, where he became a partner beginning in January 2000, and represented investors in numerous federal and state class and shareholder derivative lawsuits.

Mr. Rigrodsky is a member of the bars of the States of Delaware and New York, the United States District Courts for Delaware and the Southern District of New York, and the Courts of Appeals for the Second, Third and Fourth Circuits.

**PETER SAFIRSTEIN** graduated from The George Washington University in 1978 with a B.A. degree. He received an M.A. degree in government (concentration in international relations) from Georgetown University in 1980. In 1985, he earned his J.D. degree from Brooklyn Law School where he was a member of the *Brooklyn Law Review* and the Moot Court Honors Society. Prior to joining Milberg Weiss, Mr. Safirstein was in private practice. In addition, Mr. Safirstein served as a staff attorney in the Enforcement Division for the U.S. Securities and Exchange Commission from 1985-1990. In 1988-89, Mr. Safirstein was designated as a special assistant United States attorney in the Southern District of New York where he was part of the trial team which prosecuted *United States v. Regan*, (the "Princeton/Newport" case) and *United States v. Lisa Jones*. Mr. Safirstein later served as an assistant United States attorney in the Southern District of Florida.

Mr. Safirstein is a member of the American Bar Association and the Association of the bar of the City of New York. Mr. Safirstein is a member of the Bars of the State of New York and the State of New Jersey and is also admitted to practice before the Supreme Court of the United States, the United States Courts of Appeals for the Second and Third Circuits, the District Court of the Southern and Eastern Districts of New York and the District Court of New Jersey.

**MAYA S. SAXENA** graduated from Syracuse University *summa cum laude* in 1993 with a dual B.A. degree in policy studies and economics, and graduated with a J.D. degree from Pepperdine University School of Law in 1996.

Prior to joining Milberg Weiss Bershad & Schulman in 1998, Ms. Saxena was employed as an assistant attorney general. As an assistant attorney general, Ms. Saxena represented the State of Florida and its agencies and officers in civil cases at the appellate and trial level, and prepared amicus curiae briefs in support of state policy goals attendant to issues presented in state and federal court cases. Ms. Saxena also represented the Florida Highway Patrol and other law enforcement agencies in civil forfeiture trials.

Ms. Saxena currently specializes in securities fraud litigation, and was involved in several significant cases which have resulted in significant recoveries for defrauded investors, including, among others, cases such as *In re Sunbeam Securities Litigation*, *In re Sensormatic Inc. Securities Litigation*, *In re Hamilton Bancorp Inc. Securities Litigation*, and *In re Aviation Sales Inc. Securities Litigation*. Ms. Saxena is presently serving as lead or co-lead counsel in numerous federal class action securities cases in the Southeast.

Ms. Saxena is a member of the Palm Beach County Bar Association, and the American Bar Association. Ms. Saxena was recently recognized in the *South Florida Business Journal's* "Best of the Bar" as one of the best lawyers in South Florida. Ms. Saxena is a member of the Florida State Bar, and is admitted to practice before the U.S. District Courts for the Southern, Northern and Middle Districts of Florida, as well as the Eleventh and Fifth Circuit Courts of Appeals.

**JOSEPH P. GUGLIELMO** graduated *cum laude* from The Catholic University of America in 1992 with a B.A. degree in political science. In 1995, Mr. Guglielmo graduated from the Columbus School of Law at The Catholic University of America where he received a certificate of public policy in addition to his J.D. degree.

Mr. Guglielmo is the co-author of "Class Actions In The Healthcare Context" which was published for the following healthcare conferences: "Class Action Health Care Litigation," ALI-ABA Health Care Law and Litigation Conference, 1999; "Class Actions: HMOs and Health Care Providers Under Attack," ALI-ABA Life and Health Insurance Litigation Conference, 2000; "Providers (Suits by Doctors and Hospital Class Actions)," ALI-ABA Health Care Law and Litigation Conference, 2000; "The Application of ERISA and RICO Theories in the Age of Managed Care," The Judges And Lawyers Breast Cancer Alert, 2000; and "Health Care Litigation: What You Need to Know After Pegasus," Practicing Law Institute, 2000. Mr. Guglielmo is also the co-author of "An Overview Of Class Action Litigation In the Managed Care Context" which was published for the following healthcare conferences: "Provider Suits by Doctors and Hospitals v. HMOs,"

ALI-ABA Health Care Law and Litigation Conference, 2001, and American Society of Medical Associations Counsel, Fall 2002.

Mr. Guglielmo is a member of the New York State, District of Columbia and American Bar Associations and the Association of the Bar of the City of New York. Mr. Guglielmo was admitted to the New York State Bar in 1996, the District of Columbia Bar in 1997 and the United States Supreme Court in 2003. He is also admitted to practice before the United States District Courts for the Southern and Eastern Districts of New York and the District of Colorado.

**CHARLES S. HELLMAN** graduated with a B.A. degree from Bard College in 1985. In 1996, he graduated with a J.D. degree *summa cum laude* from New York Law School, where he was a member of the *New York Law School Law Review*. Mr. Hellman is the author of "Safe In Their Houses? Fourth Amendment Rights At Public Housing Projects," 40 N.Y.L. Sch. L. Rev. 189 (1995). Mr. Hellman's practice focuses on class actions on behalf of defrauded investors and class actions involving healthcare-related issues. Mr. Hellman is a member of the bars of the State of New York and the United States District Court for the Southern District of New York.

**BRIAN C. KERR** graduated *summa cum laude* from the University at Albany in 1993, where he was valedictorian, a member of Phi Beta Kappa, co-founder of the Presidential Honors Society, and the recipient of the Karp Prize in Economics. In 1996, he received his J.D. degree from Hofstra University, where he was a member of the *Hofstra Law Review* and a Dean's Scholar. He was admitted to the bar of the State of Connecticut in 1996 and the State of New York in 1997.

Mr. Kerr joined the Firm in 1998. His practice focuses on securities litigation, consumer fraud, deceptive insurance sales practices, commercial litigation and mass torts. Mr. Kerr has been actively involved in prosecuting complex lawsuits against the following companies and/or their officers and directors: Tyco International, Ltd., Vivendi Universal, S.A., The News Corporation Ltd., Twentieth Century Fox Film Ltd., Paramount Pictures Corp., Sony Pictures Entertainment, Inc., Universal City Studios, Inc., Kmart Corp., Rite Aid Corp., Bear, Stearns & Co. Inc., PricewaterhouseCoopers, KPMG, Nationwide Life Insurance Co., The Equitable Life Assurance Society of the United States, General Instrument Corp., Sulzer Orthopedics, Inc., and United States Gypsum.

Mr. Kerr is also actively involved in the Firm's pro bono efforts, representing indigent prisoners in civil rights cases before the Second Circuit Court of Appeals, and working with Trial Lawyers Care to provide free

legal assistance to the families of victims of the September 11th attacks.

Mr. Kerr is a member of the Association of the Bar of the City of New York, the New York State Bar Association, and the Association of Trial Lawyers of America. Mr. Kerr is admitted to practice before the United States District Courts for the Southern and Eastern Districts of New York, as well as the United States Court of Appeals for the Third Circuit.

**KIM MILLER** graduated with a B.A. degree with honors from Stanford University in 1992 with a double major in English and psychology. She earned her J.D. degree from Cornell Law School, *cum laude*, in 1995. While at Cornell, Ms. Levy acted as co-chair of the Women's Law Symposium, as bench brief editor of the Cornell Moot Court Board, and as a member of the Board of Editors of the *Cornell Journal of Law & Public Policy*. She is admitted to practice in the States of California and New York and before the United States District Courts for the Southern and Eastern Districts of New York and the Northern, Southern, and Central Districts of California.

**MICHAEL REESE** graduated from New College in 1992 with a B.A. in history and thereafter received his J.D. degree from the University of Virginia School of Law in 1996. Upon graduation from law school, Mr. Reese served as a trial attorney at the Manhattan District Attorney's Office where he prosecuted violent felony and white collar crime.

Mr. Reese joined Milberg Weiss in 2000 and has practiced in both its California and New York offices. Mr. Reese's work focuses on antitrust, securities and consumer fraud class action cases. Mr. Reese is a member of the state bars of New York and California and is admitted to practice before the U.S. District Courts for the Northern and Eastern Districts of California, the Southern and Eastern Districts of New York, the U.S. District Court of Colorado as well as the Ninth Circuit Court of Appeals.

**PETER E. SEIDMAN** earned his B.A. *cum laude* from Hobart College in 1979, following which he served as a Peace Corps volunteer living and working among the Guarani, an indigenous tribe in Paraguay. He earned an M.A. degree in journalism in 1982 from the University of Michigan and subsequently worked as a journalist for a variety of publications. In 1994, he was awarded a J.D. degree *cum laude* from the University of Michigan Law School.

Mr. Seidman joined Milberg Weiss in 2000 as an associate. He actively engages in the investigation and prosecution of securities litigation on behalf of defrauded investors. Before joining Milberg Weiss, he was an

associate with the New York law firm of Orans, Elsen & Lupert LLP for five years, where he was active in both civil and white collar criminal litigation in federal and state courts.

Mr. Seidman is admitted to practice in the courts of the State of New York, as well as the United States District Courts for the Northern, Southern, and Eastern Districts of New York.

**ANITA BRASS KARTALOPOULOS** graduated with a B.A. degree from the University of Toledo, with honors in 1974, majoring in classics, and graduated from Seton Hall Law School in 1982, with emphasis on health care law. Ms. Kartalopoulos works primarily in the areas of insurance, consumer fraud, securities and managed care. Before joining Milberg Weiss in 1998, she was in government service in the State of New Jersey, holding several positions including deputy commissioner of insurance for life and health, director of legal regulatory affairs for the Department of Health and Senior Services and executive director of the New Jersey Real Estate Commission.

As deputy commissioner of insurance she managed the New Jersey Insurance Department's Multi-State Task Force investigating the sales practices of the Prudential Insurance Company. She also served on the Board of Directors of MBL Insurance Company as a rehabilitator and managed litigation pursuant to the company's rehabilitation.

Thereafter as director of legal and regulatory affairs for the Department of Health and Senior Services, Ms. Kartalopoulos was responsible for litigation management, the development of all regulations implementing the New Jersey Healthcare statutes, the development and implementation of a streamlined Certificate of Need (CN) law, and the development of stringent prompt payment regulations to ensure that HMO's meet contractual obligations to physicians and ensure the stability of the health care network for the benefit of consumers.

As executive director of The New Jersey State Real Estate Commission, Ms. Kartalopoulos was responsible for implementing consumer disclosure/protection regulations which had been long opposed by the New Jersey real estate industry. She was also responsible for all disciplinary investigations and hearings against realtors, the inspection and registration of out of state land sales marketed in the State of New Jersey, continuing licensing of 84,000 realtors and brokers and the on-going development of real estate regulations. Ms. Kartalopoulos also worked with New Jersey Attorney General Deborah Poritz in the development of Megan's Law.

Prior to government service, Ms. Kartalopoulos specialized in local government law and land use representing a number of municipal governments, planning boards and boards of adjustment. She was responsible for litigation before both the State and Federal Courts, and negotiated significant settlements with the New Jersey Council on Affordable Housing (COAH) for the benefit of low income residents of the State.

Ms. Kartalopoulos was admitted to the bar of New Jersey and the U.S. District Court, District of New Jersey, the same year. She is also admitted to the U.S. Courts of Appeals for the Federal Circuit and the 3rd Circuit.

**MITCHELL M. BREIT** graduated with a B.A. degree from the University of North Carolina at Chapel Hill in 1972 and received his J.D. degree from Southwestern University School of Law in Los Angeles in 1979.

Mr. Breit serves as co-liaison counsel in cases involving the pharmaceutical product Serzone consolidated in New York Supreme Court. He maintains an active mass tort practice that includes Fen-Phen, Zyprexa, and Vioxx pharmaceutical litigation and consumer class actions involving the banking and boating industries. He was class co-counsel and court-appointed depository custodian in groundwater contamination litigation in the Southern District of New York involving the gasoline additive MTBE. He formerly represented the County of Suffolk, New York and the Suffolk County Water Authority in their claims against the petroleum industry for MTBE contamination. Mr. Breit was also co-counsel in union health and welfare fund tobacco litigation, which included multiple class actions in numerous jurisdictions.

Mr. Breit has been a frequent panelist at Mealey's litigation conferences involving toxic and mass torts and groundwater contamination.

Mr. Breit is a member of the Association of the Bar of the City of New York, where he served on the Art Law Committee, the Committee on State Courts of Superior Jurisdiction, the Committee on Federal Legislation, and currently the Committee on the Judiciary; the Association of Trial Lawyers of America; and the New York State Trial Lawyers Association. Mr. Breit is admitted in New York, New Jersey and Virginia and the U.S. District Courts for the Southern and Eastern Districts of New York, the District of New Jersey, the Eastern District of Virginia and the U.S. Court of Appeals for the Second Circuit.

**WAI Y. CHAN** graduated from Duke University in 1987 with a B.A. in economics and history. He



received his J.D. from Brooklyn Law School in 1994. Mr. Chan is admitted to practice in the courts of the State

of New York and the State of New Jersey.

## OF COUNSEL

**PATRICIA M. HYNES** is a trial lawyer and retains her "Of Counsel" status to the Firm once known as Milberg Weiss Bershad Hynes & Lerach LLP. Ms. Hynes is continuing her long and distinguished association with the newly named Milberg Weiss Bershad & Schulman LLP, where she specializes in complex securities and commercial litigation. She received her J.D. degree from Fordham Law School where she was a member of the *Fordham Law Review*. Ms. Hynes served as law clerk to Joseph C. Zavatt, Chief Judge of the United States District Court for the Eastern District of New York, and was an Assistant United States Attorney in the Southern District of New York from 1967 to 1982 where she held several executive positions, including Executive Assistant U.S. Attorney.

A Fellow of the American College of Trial Lawyers, Ms. Hynes has taught Trial Advocacy at Harvard Law School, Fordham Law School and the National Institute of Trial Advocacy. Ms. Hynes is a member of the American Law Institute and served on the Advisory Committee to the Federal Judicial Code Revision Project from 1996 to 2001. Ms. Hynes has been a lecturer for the Practising Law Institute since 1980 and was Chair of its Civil RICO Program from 1984 to 1991.

Ms. Hynes has been included in the list of Best Lawyers in America since 1993 and more recently has been included in *Who's Who in American Law* and the *Euromoney Guide to the World's Leading Litigation Lawyers*. Ms. Hynes has also been included in *The National Law Journal's* "Profile of America's Top 50 Women Litigators" (December 17, 2001) and its "Survey of the Fifty Most Influential Women Lawyers in America" (March 30, 1998).

Ms. Hynes served as Chair of the American Bar Association's Standing Committee on the Federal Judiciary from July 2000 to August 2001, having previously served as the Second Circuit Representative on that Committee from 1995 to June 2000. Ms. Hynes served as a member of the ABA's Commission on the 21st Century Judiciary (2002-2003). Ms. Hynes has also

served as a member of the ABA's Litigation Section Council (1989-1992) and was Chair of the Litigation Section's Securities Litigation Committee (1987-1989), Co-Chair of its Pre-Trial Practice and Discovery Committee (1992-1994) and has served as a member of the Litigation Section's Task Force on Civil Trial Practice Standards. Ms. Hynes also is a Fellow of the American Bar Foundation.

An active member of the Association of the Bar of the City of New York, Ms. Hynes served as Chair of its Federal Courts Committee from 1992 to 1995 and was a member of its Executive Committee from 1984 to 1988. From 1982 to 1984, Ms. Hynes served as Secretary of that organization. Ms. Hynes also served as a Vice President of the Federal Bar Council from 1996 to 2002 and previously served on its Board of Trustees from 1983 to 1991.

Presently, Ms. Hynes chairs the Merit Selection Panel for Magistrate Judges for the Southern District of New York and since December, 2003, has been Chair of the Board of Directors of The Legal Aid Society. Ms. Hynes also served as a member of the Planning and Program Committee for the Judicial Conference of the Second Circuit from 1998 to 2001. Ms. Hynes presently serves on the Second Circuit Court of Appeals Rules Committee. From 1994 through 2001, Ms. Hynes served as a member of the Mayor's (Giuliani) Advisory Committee on the Judiciary.

In July of 2002, Ms. Hynes was appointed a member of the New York City Charter Revision Commission by Mayor Michael R. Bloomberg. In March, 2002, Ms. Hynes was appointed a member of the Administrative Board for the Offices of the Public Administrator by Chief Administrative Judge Jonathan L. Lippman. In February, 2000, Ms. Hynes was appointed a member of the New York State Commission on Fiduciary Appointments by Chief Judge Judith S. Kaye of the New York Court of Appeals. From 1987 to 1990, Ms. Hynes served as a member of the New York State Commission on Government Integrity having been appointed by

Governor Mario Cuomo and from 1981 to 1982 was a member of the New York State Executive Advisory Committee on the Administration of Justice having been appointed by Governor Hugh L. Carey.

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Ms. Hynes was lead trial counsel for the City of San Jose in a six-month jury trial in the United States District Court for the Northern District of California against thirteen brokerage firms and an accounting firm involving losses to the City as a result of speculative, leveraged bond trading. The jury returned a verdict in favor of the City of San Jose. Ms. Hynes also served as one of the lead plaintiffs' counsel in the settlement reached in the Drexel Bankruptcy and the \$1.3 billion settlement reached with Michael Milken and others.

Ms. Hynes is and has been co-lead counsel in several class actions including: *In re Oxford Health Plans, Inc. Securities Litigation*, M.D.L. Docket No. 1222 (CLB) (S.D.N.Y.); *In re DonnKenny Inc. Securities Litigation*, 96 Civ. 8452 (MGC) (S.D.N.Y.); *Duncan, et al. v. Pencer, et al.*, 94 Civ. 0321 (LAP) (S.D.N.Y.); *In re MTC Electronics Technologies Shareholder Litigation*, CV-93-0876 (JG) (E.D.N.Y.); *In re Salomon Inc. Shareholders' Derivative Litigation*, 91 Civ. 5500 (RPP) (S.D.N.Y.); *In re United Telecommunications, Inc. Securities Litigation*, Civ. No. 90-2252-0 (D. Kan.); *In re Lilco Securities Litigation*, 84 Civ. 0588 (LDW) (E.D.N.Y.); *In re Disonics Securities Litigation*, C-83-4584-RFP (FW) (N.D.Cal.); and *In re Pepsico Securities Litigation*, No. 82 Civ. 8403 (ADS) (S.D.N.Y.).

Ms. Hynes is admitted to practice in the courts of the State of New York, as well as the United States District Courts for the Southern District of New York.

**JARED SPECTHRIE** graduated from Harvard College with honors in 1954 having majored in economics. After four years as a deck officer in the United States Coast Guard, he received a M.B.A. degree in accounting from Rutgers University in 1959, graduating first in his class. He is a Certified Public Accountant in the State of New York and practiced accounting for several years with a major auditing firm. He was graduated from New York Law School in 1965, *summa cum laude*, where he was first in his class and valedictorian. He was admitted to the Bar in New York State in 1965, and is admitted to practice before the U.S. District Court in the Southern and Eastern Districts of New York, and the United States Courts of Appeals for the Second and Fifth Circuits. He has served on the faculty of New York Law School and has lectured on "Accountants' Liability" for the Practising Law Institute. He has been engaged in the full-time practice of law since 1965 and has specialized in federal securities law litigation for the past several years. Mr. Specthrie was

lead counsel in *In re Viatron*, MDL 138 (D. Mass.), where aggregate settlements exceeding \$15 million were obtained after several months of trial and a jury verdict on liability.

**SOL SCHREIBER** received a B.A. degree, *cum laude*, in 1952 from the City College of New York, and his LL.B. degree from Yale Law School in 1955.

From 1971 through 1978, Mr. Schreiber was a United States Magistrate Judge in the United States District Court for the Southern District of New York where he conducted more than 1,500 criminal and 3,500 civil pretrial hearings and settled approximately 1,000 civil cases. In addition to trying numerous civil and criminal cases, Mr. Schreiber supervised pretrial practice in derivative, class and complex actions in the admiralty, antitrust, aviation, securities, directors' and officers' and product liability fields, including *Berkey v. Kodak*, *Litton v. ATT*, the *Penn Central Commercial Paper Litigation*, the *New York Times* and *Readers' Digest* gender discrimination, the Argo Merchant-Nantucket stranding, and the Tenerife 747 collision cases.

From November 1978 to January 1982, when he joined Milberg Weiss, Mr. Schreiber served as the President and Chief Executive Officer of a unit of the Federation of Jewish Philanthropies of New York which provided centralized legal, risk management and insurance services for the Federation's hospitals, homes for the aged, and health, education and community service agencies. He was Trial Counsel from 1955 through 1971 and Resident Counsel from 1966 through 1971 of the Brooklyn office of Liberty Mutual Insurance Co.

Mr. Schreiber has been a participant in numerous special project committees for the American Bar Association and the Second Circuit. From 1960 to present, Mr. Schreiber has been the Planning and Program Chairman of more than 125 national programs including ALI-ABA and PLI Continuing Professional Education national courses of study on evidence, civil practice and employment discrimination litigation in federal and state courts. He has been a frequent lecturer at professional programs and workshops on federal and state court civil procedure, federal and state court trial evidence and federal criminal practice and procedure. Mr. Schreiber was a reporter for the ABA Advocacy Task Force (1970-1971), which led to the formation of the National Institute for Trial Advocacy.

From 1972 to 1987, he served as an adjunct professor at Fordham Law School teaching courses in trial advocacy, product liability, mass torts and insurance disputes. He has been editor for more than 40 CLE course handbooks and major publications on civil practice and litigation, including ALI-ABA's three-

volume *Civil Practice Guide, Litigation in Federal and State Courts* (8th ed. 1998). Mr. Schreiber is a member of the Board of Editors, *Moore's Federal Practice* (2d ed.).

Presently, Mr. Schreiber is Court-Appointed Special Master in *Marcos Human Rights Litigation*. He was Special Master in the Pan American Lockerbie cases, the *Agent Orange Litigation* (March 1982-January 1984), and a series of other complex federal civil cases.

Mr. Schreiber was Judicial Member, Anglo American Exchange on Civil Procedure (March 1974), and Hearing Officer, N.Y. State Master Energy Plan (fall 1979). He is the recipient of the Francis Rawle Award for outstanding achievements in post-admission legal education (ALI-ABA, July 1985) and the Presidential Award, Legal Aid Society (November 1984). Mr. Schreiber is also the founder and co-chair of the Ovarian Cancer Research Fund, Inc.

Mr. Schreiber is a member of the American Bar Association, the New York State Bar Association, the Association of the Bar of the City of New York and the American Law Institute. He is admitted to the bar of the State of New York, to the United States District Courts for the Southern and Eastern Districts of New York and to the Second Circuit Court of Appeals.

**RICHARD M. MEYER** is a graduate of Yale University and a 1958 graduate of Yale Law School, where he was a member of the Board of Editors of the *Yale Law Journal*. Mr. Meyer served as a trial attorney in the United States Department of Justice for two years and as special counsel to the Securities and Exchange Commission for four years. He was a partner with the firm of Pomerantz Levy Haudek & Block from 1970 to April 1980, when he joined Milberg Weiss.

Mr. Meyer is the author and co-author of several law review articles, including "The Social Utility of Class Actions," 42 *Bklyn. L. Rev.* 189 (1975), and has spoken at numerous forums under the auspices of groups such as the American Bar Association, American Law Institute, Practising Law Institute, the Association of the Bar of the City of New York, the Center for the Study of Financial Institutions of the University of Pennsylvania, Columbia University and the Bureau of National Affairs.

Mr. Meyer is admitted to practice in the courts of the State of New York, the Courts of Appeals for the First, Second, Third, Fourth, Sixth, Seventh and Ninth Circuits, and the U.S. Supreme Court.

**PAUL D. YOUNG** received his B.A. *magna cum laude* from Yale University in 1981. He was elected to Phi Beta Kappa and granted with distinction in the history major. As a Fulbright Scholar, he studied at the Universitaet Bielefeld, Germany from 1981 to 1983. He

graduated from Columbia University School of Law in 1986, where he was named a Harlan Fiske Stone Scholar.

Selected published decisions: *In re APAC Teleservices, Inc. Securities Litigation*, No. 97 Civ. 9145 (BSJ), 1999 U.S. Dist. LEXIS 17908 (S.D.N.Y. Nov. 19, 1999); *In re Ashanti Goldfields Securities Litigation*, 184 F. Supp. 2d 247 (E.D.N.Y. 2002); *In re Ashanti Goldfields Securities Litigation*, No. 00 CV 717 (DGT)(RML), 2003 U.S. Dist. LEXIS 724, (E.D.N.Y. Jan. 7, 2003); *Berwecky v. Bear, Stearns & Co.*, 197 F.R.D. 65 (S.D.N.Y. 2000); *Dorchester Investors v. Peak International Limited*, 134 F. Supp. 2d 569 (S.D.N.Y. 2001); *Dorchester Investors v. Peak TrENDS Trust*, No. 99 Civ. 4696 (LMM), 2002 U.S. Dist. LEXIS 3067 (S.D.N.Y. Feb. 26, 2002); *Dorchester Investors v. Peak TrENDS Trust*, No. 99 Civ. 4696 (LMM) (FM), 2003 U.S. Dist. LEXIS 1446 (S.D.N.Y. Feb. 3, 2003); *In re General Instrument Corp. Securities Litigation*, No. 96 C 1129, 2000 U.S. Dist. LEXIS 17078 (N.D. Ill. Nov. 22, 2000); *Hunt v. Alliance North American Government Income Trust, Inc.*, 159 F.3d 723 (2d Cir. 1998); *Lipinski v. Skinner*, 781 F. Supp. 131 (N.D.N.Y. 1991); *In re MTC Electronic Technologies Shareholder Litigation*, 898 F. Supp. 974 (E.D.N.Y. 1995); *In re MTC Electronic Technologies Shareholder Litigation*, 993 F. Supp. 160 (E.D.N.Y. 1997); *Olczyk v. Cerion Technologies, Inc.*, 721 N.E.2d 732; (Ill. App. Ct. 1999); *Siemer v. Associates Financial Services*, No. CV-97-281-TUC-JC (JMR), 1999 U.S. Dist. LEXIS 22784, (D. Ariz. July 23, 1999); *Siemer v. Associates First Capital Corp.*, No. CV 97-281 TUC JMR (JCC), 2001 U.S. Dist. LEXIS 12810 (D. Ariz. Mar. 30, 2001); *Siemer v. Associates First Capital Corp.*, No. CV 97-281-TUC-JC (JMR), 2000 U.S. Dist. LEXIS 21244, (D. Ariz. Dec. 14, 2000). He was a guest lecturer on predatory lending at the annual meetings of the NAACP in July 2001 and July 2002.

Mr. Young is a member of the New York City Bar Association. Mr. Young is admitted to practice before the United States District Court for the Southern, Northern and Eastern Districts of New York and the United States Courts of Appeals for the First, Second, Fourth, Fifth and Seventh Circuits and the United States District Court for the District of Arizona.

**HONORABLE GERI D. PALAST**, Of Counsel to Milberg Weiss Bershad & Schulman, is a Root-Tilden Public Service Law Scholar from New York University School of Law, and an honors graduate of Stanford University. Ms. Palast directs the Firm's program reaching out to institutional investors in areas of litigation, policy and public affairs. Formerly, she was the founder and executive director of the Justice at Stake Campaign, a national organization working to ensure fair and impartial courts. From 1993-2000, she was confirmed by the U.S. Senate to serve as Assistant



Secretary of Labor for Congressional and Intergovernmental Affairs during President Clinton's two terms under Labor Secretaries Robert Reich and Alexis Herman. She also served on the President's Interagency Council on Women, where she chaired the Committee on Women in the Global Economy. The Committee monitored U.S. compliance with the Beijing Platform for Women. She was a member of the U.S. delegation to Women 2000 at the United Nations. Her focus was the impact of globalization on women.

Prior to joining the Clinton Administration, Ms. Palast was the Political and Legislative Director of Service Employees International Union, 1981-1993. In 1979, she established and ran the Washington office of the National Employment Law Project, a program of the Legal Services Corporation. Earlier in her career, she worked for the National Treasury Employees Union and AFSCME (American Federation of State County and Municipal Employees).

Throughout her career, Ms. Palast has organized and directed numerous broad-based national and grassroots legislative and issue campaigns. She founded and co-chaired the bipartisan coalition that was responsible for enacting the landmark Family and Medical Leave Act. As Assistant Secretary, she was a leader in the successful policy and legislative efforts to enact the minimum wage increase, the Workforce Investment Act—the overhaul of the nation's employment and training system, Welfare to Work, School to Work, and the historic congressional ratification of the International Labor Organization (ILO) international convention against abusive child labor. She worked on numerous pension reform legislative and regulatory matters. She has also been a strategic adviser to many electoral campaigns.

Ms. Palast has served on numerous boards and advisory committees. She has also lectured at colleges and universities. Ms. Palast is admitted to practice in the District of Columbia, and she is an inactive member of the California State Bar.

**DEBORAH M. STURMAN** received a *Prix d'Excellence* from the Royal Brussels Conservatory and a J.D. degree from the University of California at Los Angeles School of Law.

Ms. Sturman conceived of, and, together with senior partner Melvyn Weiss, filed the first suits in United States courts on behalf of Holocaust-era slave labor victims, leading to recoveries of approximately \$7 billion. She has been profiled in both *The Wall Street Journal* and *Financial Times* for her innovative lawyering and regularly appears as a legal commentator in the German, Dutch, French, Swiss and Belgian media as well as on numerous international and national

Continuing Legal Education panels for complex and international litigation.

Since the early 1990's, Ms. Sturman has represented Holocaust survivors and their heirs seeking restitution of real property in the former East Germany "Aryanized" during World War II, and assisted European investors in connection with their United States investments. She is fluent in German and Dutch/Flemish and conversant in French and Italian.

Ms. Sturman is admitted to the bar of California, and the Supreme Court of the State of California. She is also admitted to the Federal Circuit Court of Appeals, the U.S. Court of Appeals, Second Circuit, the U.S. District Court for the District of Columbia, and the U.S. District Courts for the Southern and Eastern Districts of New York.

**DAVID K. BERGMAN** graduated with a B.A. degree in American studies from Brandeis University in 1986. He earned a J.D. degree from Brooklyn Law School in 1989. Mr. Bergman practices primarily in the field of class action securities fraud and spends a large percentage of his time representing Milberg Weiss as a liaison with public funds and other institutional investors. Mr. Bergman is regularly sought out as a speaker on a wide variety of topics relating to, among other things, securities fraud, myriad facets of corporate governance, and the fiduciary duties of a pension fund trustee. Mr. Bergman has served as lead and co-lead counsel in numerous securities fraud class actions, and has extensive experience representing investors and other claimants in the arbitration process.

Prior to joining Milberg Weiss, Mr. Bergman also concentrated in the field of professional responsibility and ethics, serving as chief complex claims counsel for the New York State Bar in high exposure cases against lawyers and law firms all across New York State, where he also lectured on issues relating to professional responsibility and legal ethics, and served in various capacities on a number of professional responsibility committees and panels. Immediately prior to joining Milberg Weiss, Mr. Bergman was a principal in Frydman & Bergman, where he represented investors in arbitrations, securities fraud class actions and shareholder derivative actions. Mr. Bergman also served as an appellate advocate for numerous law firms, in both New York State and the United States Court of Appeals. He is admitted to practice in all Federal, State and Appellate Courts in New York.

**REUBEN A. GUTTMAN** graduated from the University of Rochester in 1981 where he received a B.A. degree in history. He graduated from Emory University Law School in 1985 where he received a J.D. degree.

Mr. Guttman's practice involves complex litigation and class actions. He has represented clients in claims brought under the Federal False Claims Act, the Price Anderson Act, Department of Energy (DOE) statutes and regulations, securities laws, the WARN Act, RICO, and various employment discrimination, labor and environmental statutes. He has also litigated claims involving fraud, breach of fiduciary duty, antitrust, business interference and other common law torts.

Mr. Guttman has been counsel in cases generating some of the largest recoveries under the Federal False Claims Act including *U.S. ex rel Johnson* where over \$300 million was recovered from the oil industry. He also served as lead counsel in a series of cases which resulted in the recovery of more than \$30 million under the Federal Fair Labor Standards Act. Litigation brought by Mr. Guttman on behalf of nuclear weapons workers at "Manhattan Project" nuclear weapons sites resulted in congressional oversight and changes in procurement and sales practices.

Mr. Guttman's publications include: "The False Claims Act: Holding Employers Accountable For Workplace Rights" (co-author, *Employee Rights Quarterly*, Aspen, Fall 2000); "The Dormant Commerce Clause and Interstate Transportation of Waste," University of Pennsylvania, *Journal of Resource Management and Technology*, June 1993; "Impact of OSHA Bloodborne Disease Rule," *Medical Waste*, Vol. 1, No. 1, Oct. 1992; "Supreme Court Holdings Benefit Landfill and Incinerator Operators," *Medical Waste*, Vol. 1, No. 3, Dec. 1992; "Supreme Court Upholds Preemptive Powers of OSHA Act," *Medical Waste*, Vol. 1, No. 4, Jan. 1993; "EPA Dialogue May Result in Rules for Commercial Buildings," *2 Nat'l Journal of Asbestos in Buildings Litigation*, 13, 1989; "The Asbestos Model: Labor and Citizens Groups and a Multi-Pronged Approach to Regulatory Change," paper first presented at the Annual Meeting of the American Political Science Association, Chicago, Ill., Sept. 1, 1987; published as a chapter in *Conflict Resolution and Public Policy*, edited by Miriam K. Mills, Greenwood-Quorum Press, October 1990; "At Issue: Should Congress Pass Legislation That Would Extend The Asbestos Hazard Energy Response Act To All Public and Commercial Buildings," *Congressional Quarterly's Editorial Research Reports*, Vol. 1, No. 9, 1990; "Representation Campaigns and the Future of Labor: a Legal and Theoretical Perspective," paper presented at the Annual Meeting of the Midwest Political Science Association, Chicago, Ill., April 4, 1988. Consulting Editor: *The Regulatory Analyst: Medical Waste*, a monthly publication, Warren Gorham Lamont, New York, N.Y., 1992-1994. Chapter Author and Advisory Board Member, "Environmental

Management in Healthcare Facilities," W.B. Saunders Company, April 1998.

Mr. Guttman has appeared on ABC National News and CNN, and has been quoted in major publications, including the *Wall Street Journal* and various national wire services.

In addition to his writings, Mr. Guttman has testified on environmental issues before committees of the United States House of Representatives and the United States Senate, and in 1992 advised President-elect Clinton's transition team on labor policy. He has been an invited speaker on privatization and procurement issues at conferences sponsored by the United States Department of Energy (Oakland, California, 1997; Denver, Colorado, 1995). He was also invited to speak on employment discrimination by the Houston Regional Office of the United States Equal Employment Opportunity Commission (EEOC) at its Fall 1998 Technical Conference in Beaumont, Texas. He has guest lectured at Swarthmore College, University of Pennsylvania, Johns Hopkins University, and The George Washington University.

Mr. Guttman is a founding member of the Association of Trial Lawyers of America (ATLA) Qui Tam Litigation Group and was a featured speaker on the False Claims Act at the ATLA 2001 Annual Convention in Montreal, Canada. Mr. Guttman is admitted to practice law in Georgia (admitted in 1985), the District of Columbia (admitted in 1988), Pennsylvania (admitted in 1991) and New Jersey (admitted in 1991).

**RUBY MENON** graduated from Indiana University with a B.A. degree in journalism/English. She also received her J.D. degree from Indiana University.

Ms. Menon focuses primarily on providing services to public pension funds, employee benefit plans, foundations and endowments. She formerly served as the first general counsel of the Denver Employees' Retirement Plan. Prior to that, she was the general counsel for the Indiana Public Employees' Retirement Fund. At Indiana, one of her successful projects was to help develop the legal strategy and advocacy for the State's Referendum lifting the long-standing prohibition on the pension funds' investment in equity instruments.

As general counsel for two large multi-employer retirement plans for over 10 years, Ms. Menon developed expertise in many areas of employee benefits administration including legislative and regulatory affairs, investments, tax, fiduciary compliance and plan administration. She provided day-to-day legal advice to the Board and staff, and

was responsible for drafting all legislative initiatives involving benefit and investment structure enabling the retirement plans to provide secure long-term benefits for State, public safety, and municipal employees.

Ms. Menon also served as a deputy prosecuting attorney for the Marion County Prosecutor's Office in Indianapolis, IN. In addition she was an adjunct professor for the Indiana Wesleyan University in Indianapolis, IN where she taught Business Law, Ethics and Business Communications.

She is currently an instructor for the International Foundation of Employee Benefit Plan's certificate

training program (CAPPP™) for trustees, administrators and other key decision makers of employee benefit plans. She frequently participates as a speaker for various organizations serving U.S. and international public pension plans.

Ms. Menon is admitted to practice in the courts of the States of Indiana and Colorado, as well as the United States District Courts for the Northern and Southern Districts of Indiana, the Colorado District Court, the United States Courts of Appeals for the Seventh and Eleventh Circuits, and the U.S. Supreme Court.

## SPECIAL COUNSEL

**JAMES M. SHAUGHNESSY** graduated *cum laude* from Adelphi University in 1967 with a B.A. degree in political science and *cum laude* from New York University School of Law in 1969. While at N.Y.U., Mr. Shaughnessy was elected to the Order of the Coif, was the administrative director of the moot court program, and, upon graduation, received the Benjamin F. Butler Award for scholarship and outstanding service to the law school.

Mr. Shaughnessy joined the firm of Casey, Lane & Mittendorf in New York City as a litigation associate in 1969 and became a litigation partner at that firm in 1976. In 1982, Mr. Shaughnessy joined the firm of Haythe & Curley as a litigation partner, and he was the managing partner of the firm for two years. In 1987, Mr. Shaughnessy joined the firm of Windels, Marx, Davies & Ives (now known as Windels, Marx, Lane & Mittendorf, LLP) as a litigation partner. He was the chairman of the Windels, Marx Litigation Department from 1988 through 1998, and was a member of the firm's Executive Committee from 1990 to 1992. Mr. Shaughnessy joined Milberg Weiss in 2001.

Over the course of his career, Mr. Shaughnessy has specialized in commercial, securities, insurance, aviation and bankruptcy litigation. Mr. Shaughnessy was lead defense counsel for Pan American World Airways, Inc. in *In re Air Disaster at Lockerbie, Scotland on December 21, 1988*, M.D.L. 799 (TCP) (E.D.N.Y.), and tried that case on behalf of Pan Am to a jury for three months.

Mr. Shaughnessy is a member of the American Bar Association, the New York State Bar Association, the Association of the Bar of the City of New York, and Federal Bar Council. Mr. Shaughnessy is admitted to practice in New York, California and New Jersey as well as before the United States Supreme Court, the United States Courts of Appeals for the Second, Fifth and Ninth Circuits, the United States District Courts for the Southern, Eastern, Northern and Western Districts of New York, the Southern District of California and the District of New Jersey, and the United States Tax Court.

## ASSOCIATES

**ARIEL ACEVEDO** earned a B.B.A. degree from Baruch College of the City College of New York in 1991 and his J.D. degree from Fordham University School of Law in 1995. During and after college, Mr. Acevedo was employed as a financial analyst at various brokerage firms and in the banking industry. Prior to joining Milberg Weiss, Mr. Acevedo was employed at a large international law firm in New York, representing and counseling various multi-national corporations in complex, products liability litigation in the United States and other countries. At Milberg Weiss, Mr. Acevedo has

represented numerous plaintiffs in employment discrimination litigation in federal and state courts. Additionally, he has participated in the negotiation of settlement agreements in securities actions, including *In re Clarus Corporation*, *In re Hamilton Bancorp*, and *In re UniCapital Corporation*.

Mr. Acevedo is admitted to practice in the courts of the State of Florida, as well as the United States District Courts for the Southern and Middle Districts of Florida.